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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,809	12/26/2001	Tomo Watanabe	041465-5131	5982
55694 7590 01/30/2007 DRINKER BIDDLE & REATH (DC) 1500 K STREET, N.W. SUITE 1100 WASHINGTON, DC 20005-1209			EXAMINER PYZOCHA, MICHAEL J	
			ART UNIT 2137	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			01/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/025,809

Applicant(s)

WATANABE ET AL.

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-25 are pending.
2. Remarks submitted 12/08/2006 have been received and considered.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebenow (US 6012146) in view of McLean et al. (US 5282247).

As per claims 1 and 25, Liebenow discloses a password that is common for a plurality of data processing apparatuses that is recorded on a recording medium before installation of the data into the data processing unit (see column 2 line 49 through column 3 line 25).

Moore fails to disclose a password that is unique for each individual data processing apparatus and replacing the password on the recording medium with the unique password after installation.

However, McLean et al. teaches a password that is unique for each individual data processing apparatus and setting the

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password on the recording medium with the unique password after installation (see column 8 lines 33-48).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to replace the common key of Liebenow with a device specific key after installation.

Motivation to do so would have been to provide a system where the memory could be unlocked only when inserted in that particular host computer system (see McLean et al. column 8 lines 33-48).

5. Claims 4, 5, 7-16, and 19-22 rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Liebenow and McLean et al. system as applied to claims 1 and 25 above, and further in view of Grimes et al. (US 6964045).

As per claims 4, 8, 9 and 11, the modified Liebenow and McLean et al. system discloses a password memory device which stores a first password that is unique for each data processing apparatus, and that must be used in order to perform recording of data on or reproduction of data from said recording medium; a recording and reproduction device which uses said stored first password to perform recording or reproduction; a judgment device which determines whether or not it is possible to perform recording of data to or reproduction of data from a recording

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medium by using a second password that must be used in order to perform recording of data on or reproduction of data from said recording medium (see Liebenow column 2 line 49 through column 3 line 25 and McLean et al. column 8 lines 33-48).

The modified Liebenow and McLean et al. system fails to disclose the use of the recording medium for updating the system.

However, Grimes et al. teaches the use of recording media for updates (see column 2 line 58 through column 3 line 5).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the recording media of Liebenow and McLean et al. to contain updates for the system.

Motivation to do so would have been to provide quick updating of the system (see Grimes et al. column 2 line 58 through column 3 line 5).

As per claims 5, 7, 10 and 12, the modified Liebenow, McLean et al. and Grimes et al. system discloses the second password is common for a plurality of update recording media determined to be proper and stored together with the update recording medium (see Liebenow column 2 line 49 through column 3 line 25).

As per claims 13-16, and 19-22, the modified Liebenow, McLean et al. and Grimes et al. system discloses the re-writable

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recording medium comprises first data; second data which is used for updating the first data; a first password which is used for access to the first data and is unique for each apparatus and stored in a first medium; and a second password which is used for access to the second data and stored in a second medium; and the controlling device clears restriction of access to the first data with use of the first password; the controlling device determines whether or not the second data is original with use of the second password; and the controlling device changes the first data to the second data when the second data is determined to be original the changing of the second password occurs after the updating (see Liebenow column 2 line 49 through column 3 line 25 and McLean et al. column 8 lines 33-48).

6. Claims 2, 3, 6, 17, and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Liebenow, McLean et al. and Grimes et al. system as applied above, and further in view of Morisawa et al. (US 5537544).

As per claims 2 and 3, the modified Liebenow, McLean et al. and Grimes et al. system discloses an extraction device which extracts the password that are recorded on said recording medium; a judgment device which determines the contents of said extracted password data; an update device which updates said

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password that are recorded on said recording medium to said first password data when said judged contents are the same as the contents of said second password; a recording and reproduction device which performs at least recording data on or reproducing data from said recording medium; and a prohibiting device which prohibits execution of said recording or said reproduction when said judged contents differ from both the contents of said first password and contents of said second password that are stored in said memory device (see Liebenow column 2 line 49 through column 3 line 25 and McLean et al. column 8 lines 33-48).

The modified Liebenow, McLean et al. and Grimes et al. system fails to disclose the passwords being stored together.

However, Morisawa teaches such a memory (see column 3 lines 14-16, column 5 lines 57-59 and column 34 lines 20-21).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to store both passwords of the modified Liebenow, McLean et al. and Grimes et al. system in the same memory.

Motivation to do so would have been to have a password control system that holds one or more registered password to allow data processing when a password identical to one of the registered passwords is inputted (see Morisawa Abstract).

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As per claims 6, 17, and 23, the modified Liebenow, McLean et al., Grimes et al., and Morisawa system discloses both passwords being stored together (see Morisawa column 3 lines 14-16, column 5 lines 57-59 and column 34 lines 20-21).

7. Claims 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Liebenow, McLean et al. and Grimes et al. system as applied to claims 13 and 19 above, and further in view of Kato (US 6453233).

As per claims 18 and 24, the modified Liebenow, McLean et al. and Grimes et al. system fails to disclose the update program is map data.

However, Kato teaches updating of map data (see column 3 lines 25-64).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the installation of the program of the modified Liebenow, McLean et al. and Grimes et al. system to be map updates.

Motivation to do so would have been to apply differential map updates (see Kato column 4 lines 27-29).



***Response to Arguments***

8. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER